

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Mark Dinsmore

Serial No.: 10/790,635 (which is a reissue application of
6,480,568, issued December 10, 2002)

Filed: March 1, 2004

Title: Optically Driven Therapeutic Radiation Source

Docket: PHLL-155RE (56249-172)

CERTIFICATE OF MAIL

I certify that this document is being deposited on the date stated below, with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8(a) and is addressed to Mail Stop: Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

11/4/04
Date

Elsie M. Saraglow
Elsie M. Saraglow

Mail Stop: Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

- 1) Response to Notice to File Missing Parts;
- 2) Petition Under 37 CFR § 1.47(b);
- 3) Declaration of Mark G. Lappin Filed in Support of Petition Under 37 CFR. § 1.47 (b);
- 4) Assent of Assignee to Reissue;
- 5) Statement Under 37 CFR § 3.73(b);
- 6) Statement Explaining Change in Name of Assignee;
- 7) Petition For A Four-Month Extension of Time;
- 8) Combined Declaration and Power of Attorney in Reissue Application;
- 9) Assignment Documents;
- 10) Copy of Notice to File Missing Parts of Reissue Application; and
- 11) Acknowledgment Postcard.

U.S.S.N. 10/790,635

The Commissioner is hereby authorized to charge the requisite declaration surcharge of \$130.00 and the Four-month Extension of Time to File fee of \$1,530.00, as well as any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-1133.

Respectfully submitted,

McDERMOTT, WILL & EMERY
Customer No. 23630



Date: November 4, 2004

Mark G. Lappin, Reg. No. 26,618
28 State Street
Boston, MA 02109-1775
Telephone: (617) 535-4043
Facsimile: (617) 535-3800

BST99 1432449-1.056249.0172

PATENT



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11/4/04
Date

Elsie M. Saraglow
Elsie M. Saraglow

Mail Stop: Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF FILE MISSING PARTS

In response to the Notice to File Missing Parts, dated May 4, 2004, Applicant's attorney submits herewith the executed Declaration of Mark G. Lappin Filed in Support of Petition Under 37 C.F.R. § 1.47(b).

The Commissioner is hereby authorized to charge the requisite declaration surcharge of \$130.00 and the Four-month Extension of Time to File fee of \$1,530.00, as well as any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-1133.

Respectfully submitted,
McDERMOTT, WILL & EMERY
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Date: November 4, 2004

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/790,635	03/01/2004	Mark Dinsmore	56249 (PHLL-155RE)

23630
MCDERMOTT, WILL & EMERY
ATTN: INTELLECTUAL PROPERTY DEPT.
28 STATE STREET
BOSTON, MA 02109

CONFIRMATION NO. 6536

FORMALITIES LETTER



OC000000012519103

Date Mailed: 05/04/2004

NOTICE TO FILE MISSING PARTS OF REISSUE APPLICATION

Filing Date Granted

An application number and filing date have been accorded to this reissue application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- Consent of the assignee is present, but is unsigned. A statement of consent bearing the signature of an official authorized to act on behalf of the assignee(s) must be provided, to comply with 37 CFR 1.172.
- Assignee's statement under 37 CFR 3.73(b) is present, but is unsigned. A 37 CFR 3.73(b) statement bearing the signature of an official authorized to act on behalf of the assignee must be provided.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

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01 FC:1051 130.00 1A

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE